

**VOTING RECORD**  
**BOARD OF COUNTY COMMISSIONERS' MEETING**  
**THURSDAY, OCTOBER 9, 2014**  
**9:30 A.M.**

The following information is an unofficial record of the  
Frederick County Board of County Commissioners open meeting votes.

(Official minutes of the Board of County Commissioners' meetings are kept on file in the County Manager's Office; the meetings are also video recorded. Approved minutes can be accessed at [www.FrederickCountyMD.gov/minutes](http://www.FrederickCountyMD.gov/minutes) and video of the meeting can be accessed at [www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov).)

**CONSENT AGENDA**

The following items were on the consent agenda:

- Purchasing Memo #15-063 – Construction Management and Inspection Services for Water and Sewer Facilities for Various Projects (IDQ Contract)
- Purchasing Memo #15-068 – Supervisory Control and Data Acquisition Infrastructure Support
- Budget Transfer #BT-15-058, Child Advocacy Center, Citizens Services Division (\$0)
- Board of Education School Construction Amendment #15-05 (No county budget transfer required) (\$0)
- Change Order No. 1 – Boyers Mill Road Replacement Bridge over Lake Linganore
- FY 2015 Child Support Collaborative Reimbursement Agreement (CRA) Grant for Sheriff's Office
- FY 2015 Child Support CRA Grant for State's Attorney's Office

*Motion to approve the consent agenda as presented – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith			X			
Shreve	X		X			
Gray			X			
Delauter		X	X			

**ADMINISTRATIVE BUSINESS**

**Presentation of Ordinances for Signature Purposes – Kathy Mitchell, Office of the County Attorney**

- Rezoning Case R-12-01(A) - Oakdale Planned Unit Development (PUD) Ordinance (Public Hearing Held 8/26/14)
- Rezoning Case R-14-01 - Ratley PUD Ordinance (Public Hearing Held 7/22/14)
- Farm Lot Impact Fee Waiver Ordinance (Public Hearing Held 9/25/14)

*No action was taken as this item was for signature purposes.*

## **PUBLIC HEARINGS**

### **Amendment of the List of Exempt Employees – Linda Thall, Office of the County Attorney**

*No action was taken by the Board as this public hearing was for the benefit to receive public comments. The Board will make a decision at their administrative business meeting scheduled for Thursday, October 23, 2014.*

### **FY 2015/2016 Maryland Agricultural Land Preservation Fund (MALPF) Easement Acquisition Program – Anne Bradley, Community Development Division**

*Motion to forward the top 10 applications to a public hearing and then for MALPF to conduct the necessary appraisals – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith		X	X			
Shreve	X		X			
Gray			X			
Delauter			X			

### **Development Rights and Responsibilities Agreement (#DRRA 14-02) Rayburn Planned Unit Development Property and Determination of Adequacy for the Adequate Public Facilities Ordinance (APFO) Review and Approval of the Letter of Understanding (LOU) – Jim Gugel, Community Development Division**

*Motion to approve #DRRA 14-02 for Rayburn PUD as presented – Passed 4-1.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith			X			
Shreve	X		X			
Gray				X		
Delauter		X	X			

*Motion to make a finding of adequacy in accordance with the APFO LOU for the Rayburn PUD – Passed 4-1.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith			X			
Shreve	X		X			
Gray				X		
Delauter		X	X			

**Development Rights and Responsibilities Agreement (#DRRA 14-03) Ratley Planned Unit Development Property and Determination of Adequacy for the Adequate Public Facilities Ordinance (APFO) Review and Approval of the Letter of Understanding (LOU) – Jim Gugel, Community Development Division**

*Motion to approve #DRRA 14-03 for Ratley PUD as presented – Passed 4-1.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve			X			
Gray				X		
Delauter		X	X			

*Motion to make a finding of adequacy in accordance with the APFO LOU for the Ratley PUD – Passed 4-1.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve			X			
Gray				X		
Delauter		X	X			

**Development Rights and Responsibilities Agreement (#DRRA 14-07) Hogan Property – Jim Gugel, Community Development Division**

*Motion to approve DRRA 14-07 for the Hogan property – Passed 4-1.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve			X			
Gray				X		
Delauter		X	X			

**WORKSESSION**

**Appointments/Reappointments to Boards/Commissions – Joyce Grossnickle, Office of the County Manager**

**Board of Gaming Appeals**

*Motion to appoint Mr. George Stipe to serve a term to expire June 30, 2017 – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve		X	X			
Gray			X			
Delauter			X			

## Companion Animal Welfare Advisory Committee

*Motion to appoint Dr. Daniel Paré to serve a term to expire June 30, 2017 – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve		X	X			
Gray			X			
Delauter			X			

## Electrical Board

*Motion to appoint Mr. Sheldon Davis to serve a term to expire June 30, 2017 – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve		X	X			
Gray			X			
Delauter			X			

## Substance Abuse Council

*Motion to reappoint Ms. Monica Kirkpatrick and Ms. Christine Marquardt to serve terms to expire June 30, 2018 – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve		X	X			
Gray			X			
Delauter			X			

## **ADMINISTRATIVE BUSINESS**

### **BOCC Support for Priority List of FY 2016 Funding Request to the State – Ray Barnes, Frederick County Public Schools**

*Motion to approve sending a letter of support to the Interagency Committee on School Construction for the Frederick County Board of Education's FY 2016 school construction project requests – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve			X			
Gray		X	X			
Delauter			X			

**Request for Public Hearing Regarding Proposed Ordinance to Revise the General Conditions and Standard Specification for Water Mains, Sanitary Sewers and Related Structures – Robert Creighton, Utilities and Solid Waste Management Division**

Mr. Kevin Demosky commented on the proposed ordinance.

*Motion to approve taking to public hearing the 2014 General Conditions and Standard Specification for Water Mains, Sanitary Sewers and Related Structures – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young		X	X			
Smith	X		X			
Shreve			X			
Gray			X			
Delauter			X			

**Northeast Maryland Waste Disposal Authority (NMWDA) Waste Transportation and Disposal Request for Proposals (RFP) Results/Recommendations – Mike Marschner, Office of the County Manager**

*Staff was directed to take to public hearing the Vendor #1 proposal for municipal solid waste transportation and disposal and the issue to direct the NMWDA to terminate the service agreement with Wheelabrator Technologies, Inc. for a waste to energy facility.*

**Updates from County Commissioners' Liaison – Dave Dunn, Community Development Division**

*No action taken as this item was informational.*

**Commissioner Comments**

**Zoning Map Amendment #R-14-02 - Monocacy Glen Planned Unit Development (PUD)**

Motion to continue the Monocacy Glen PUD rezoning hearing to hear new testimony and evidence – Failed 2-3.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young				X		
Smith		X	X			
Shreve				X		
Gray				X		
Delauter	X		X			

**CLOSED SESSION**

Maryland Annotated Code General Provisions Article §3-305(b)(7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

**Topic** – To discuss with the county's attorneys and staff the anticipated MS4 permit action by Maryland Department of the Environment and county options.

Maryland Annotated Code General Provisions Article §3-305(b) (1) To discuss: (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over

whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals.

**Topic** – To consider an appeal under the County Personnel Rules.

*Motion to go into closed session – Passed 5-0.*

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve		X	X			
Gray			X			
Delauter			X			

*For more information, please contact Patti Morrow at 301-600-6083 or [pmorrow@FrederickCountyMD.gov](mailto:pmorrow@FrederickCountyMD.gov).*